

Adam P. Segal, Esq.  
Nevada Bar No. 6120  
Christopher M. Humes, Esq.  
Nevada Bar No. 12782  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106  
Telephone: (702) 382-2101  
Facsimile: (702) 382-8135  
Email: asegal@bhfs.com  
Email: chumes@bhfs.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF THE  
ELECTRICAL WORKERS PENSION  
TRUST, and ELECTRICAL WORKERS  
PENSION TRUST

Plaintiffs,

vs.

NATIONAL SECURITY  
TECHNOLOGIES, LLC, a foreign limited  
liability company,

Defendant.

Case No. 2:21-cv-00062-GMN-BNW

**STIPULATION AND [PROPOSED] ORDER  
TO STAY DISCOVERY**

**[FIRST REQUEST]**

Plaintiffs, the Board of Trustees of the Electrical Workers Pension Trust and the Electrical Workers Pension Trust (collectively, the “Trust”) by and through their attorneys of records Adam P. Segal, Esq., and Christopher M. Humes, Esq., and Defendant National Security Technologies, LLC (“NST”), by and through their attorneys of record Richard J. Birmingham, Esq. and Malani L. Kotchka, Esq., hereby stipulate and agree to stay discovery until after the Court rules on the pending Motion for Summary Judgment filed by the Trust.

///

This case involves the Trust's allegations that NST was untimely in its initiation of arbitration to dispute a withdrawal liability assessment from the Trust, pursuant to the Employee Retirement Income Security Act of 1974, as amended by the Multiemployer Pension Plan Amendments Act of 1980. The Trust recently filed a Motion for Summary Judgment (ECF No. 14, filed Mar. 26, 2021), the Parties agree that staying discovery while the Motion for Summary Judgment is pending would conserve both the Parties' and the Court's resources. If a stay of discovery was not entered, the Parties would likely engage in discovery prior to the discovery cutoff, and the Court would have to adjudicate any disputes arising from those discovery efforts, all while a motion is pending that will likely resolve this matter, one way or another.

The Parties therefore agree that good cause exists to stay discovery in this matter until after the Court rules on the pending Motion for Summary Judgment. If the Court does not grant the Motion for Summary Judgment, and does not otherwise dismiss or stay this matter after the resolution of the Motion, the Parties will meet for a conference pursuant to Federal Rule of Civil Procedure 26(f) within fourteen (14) days of the Court's ruling on the Motion and provide a proposed discovery schedule within twenty-one (21) days of the Court's ruling on the Motion.

This stipulated request for a stay of discovery is not made for the purpose of delay, but instead to adjust the discovery needs to this specific matter, and conserve the Parties' and the Court's resources when no discovery is likely needed to resolve this dispute.

Dated this 2nd day of April, 2021.

**BROWNSTEIN HYATT FARBER  
SCHRECK, LLP**

/s/ Christopher M. Humes

Adam P. Segal, Esq.  
Nevada Bar No. 6120  
Christopher M. Humes, Esq.  
Nevada Bar No. 12782  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106-4614

*Attorneys for Plaintiffs*

Dated this 2nd day of April, 2021.

**DAVIS WRIGHT TREMAINE LLP**

/s/ Richard J. Birmingham

Richard J. Birmingham, Esq. (*Pro Hac Vice*)  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610

Malani L. Kotchka, Esq.  
520 South Fourth Street, Suite 320  
Las Vegas, NV 89101

*Attorneys for Defendant*

**ORDER**

IT IS ORDERED, the Court having found good cause, that discovery in this matter is stayed until the Court provides a decision on the Plaintiffs' pending Motion for Summary Judgment (ECF No. 14, filed Mar. 26, 2021).

IT IS FURTHER ORDERED that if the Court does not grant the Plaintiffs' Motion for Summary Judgment in full, or does not otherwise dismiss or stay this matter, the Parties will meet for a conference pursuant to Federal Rule of Civil Procedure 26(f) within fourteen (14) days of the Court's ruling on the Motion and provide a proposed discovery schedule within twenty-one (21) days of the Court's ruling on the Motion.

**IT IS SO ORDERED.**



United States Magistrate Judge

DATED: April 9, 2021

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106-4614  
(702) 382-2101